

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

FINANCIAL FEDERAL CREDIT INC., §  
§  
Plaintiff, §  
§  
VS. § CIVIL ACTION NO. H-08-2384  
§  
JAMES V. PALMER, §  
§  
Defendant. §

**DEFAULT JUDGMENT**

Plaintiff Financial Federal Credit Inc. has filed a motion for default judgment against defendant James V. Palmer, guarantor of promissory notes executed by Palmer Equipment, Inc. The record shows that James Palmer failed to answer the complaint as required by Rule 12, Fed. R. Civ. P., making entry of default against him proper. Financial Federal Credit, Inc. has filed an affidavit and exhibits in support of its claims for actual damages and reasonable attorney's fees on this suit on a sworn account. Financial Federal Credit, Inc. has also sent the defendant notice of the motion for entry of default and default judgment. Further notice to the defendant and further hearings are not necessary. Rule 55(b)(2), Fed. R. Civ. P. The motion for entry of default and default judgment is granted.

Financial Federal Credit has established its entitlement to default judgment against James V. Palmer in the amount of actual damages of \$2,577,776.23, which takes into account and credits payments made by Palmer Equipment, Inc., including adequate protection payments; prejudgment interest at the rate of 15% per annum, for total accrued interest from

July 10, 2008 until judgment is entered; reasonable attorneys' fees in the amount of \$21,000; postjudgment interest at the rate of .45 % per annum; and costs of court.

SIGNED on January 6, 2009, at Houston, Texas.



Lee H. Rosenthal  
United States District Judge